

Copy 149

A
SERMON
Preach'd at the
ASSIZES
AT
AILESBUURY
IN THE
County of BUCKS,
April the 6th, 1709.

By **JOHN OLLYFFE,**
Rector of Dinton, Bucks. *K*

&
LONDON,
Printed for Samuel Crouch at the Corner of Popes
Head-Alley, over against the Royal Exchange.
1709.

144
SERMON

Preached at the

ASSIZES

AT

WILLESBURY

IN THE

COUNTY OF DUCKS



April the 6th 1709.

By JOHN OLLIVER

Rector of Dunton

LONDON

Printed for T. Smith at the Gunpowder
Office, over against the Old Exchange
1709.

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WE the High Sheriff, and Gentlemen of the Grand-Jury, at the Assizes holden for the County of Bucks, the Fifth Day of April, One Thousand Seven Hundred and Nine, do heartily thank Mr. Ollyffe for his excellent Sermon, preach'd at the said Assizes, and do earnestly request him to print the same.

John Perryman, Esq; Sheriff.

Henry Neale,
Francis Tyringham,
Edward Bare,
Wiswood Serjeant,
Thomas Somner,
Francis Ligo,
Thomas Theed,
Charles Holt,

Daniel Coggs,
John Throckmorton, Esq;
Joseph Haines,
Thomas Goodson,
Thomas Hodson,
William Hakewill,
William Rawlins,

Sermons Printed for Sam. Crouch. W
THE Great End and Design of Christianity. In
a Sermon Preached by the Learned and Reve-
rend Z. Cuddeback, D. D. Late Provost of Eaton College.

Mr. White's Affize-Sermon, Preach'd at Ailesbury,
in the County of Bucks; and at Chelmsford in the Coun-
ty of Essex.

A Sermon Preach'd before the Society for Reforma-
tion of Manners, in the Parish Church of Wendover
in the County of Bucks, October the 27th, 1708, and
now Publish'd at their Request. By Thomas Penn
A. M. Rector of Aston Sluiford in the said County.

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And so I shall take an Occasion to discourse of some
beginning with the former, and then of the latter.

In the former sense, the Kingdom is this, That the
Power and Dominion, and Government, that Man
have in the World, whether they rise from either is

S E R M O N

Preach'd

April the 6th, 1709.

PROVERBS VIII. 15, 16.

*By Me Kings reign, and Princes decree Justice. By
Me Princes rule, and Nobles, even all the Judges
of the Earth.*

TH E S E are the Words of God, or the Di-
vine Logos or Wisdom of the Father. *By me
Kings reign, &c.* This may be understood,
either absolutely, that they have their Pow-
er and Dominion from God, by his Ordi-
nation or Providence; or that they have their Skill
and Ability to reign justly and wisely, from that As-
sistance and Wisdom, which they receive from him;
whereby they are enabled to decree righteous and
good Decrees, for the maintaining of Justice and Or-
der among Men; which without God's all-wise Di-
rection and Help, they could not do. It may be un-
derstood in both these Senses, and in both it is true.

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And

And so I shall take an Occasion to discourse of both, beginning with the former ; and then at last, as Occasion offers, shall fall into the latter also.

In the former Sense, the *Proposition* is this, That the Power, and Dominion, and Government, that Men have in the World, whereby they rule over others, is of God, or by his Ordination or Providence. Suitable whereunto is that Discourse of the Apostle, *Rom. 13. 1, 2.* *There is no Power but of God ; and the Powers that be, are ordained of God.* And thus *Dan. 4. 25.* *The most High ruleth in the Kingdom of Men, and giveth it to whomsoever he will.*

But now, *1 Pet. 2. 13.* It is called there *the Ordinance of Men* ; which, *Rom. 13. 2.* is called *the Ordinance of God.* So that it seems, that Kings and Governours in some respect are the *Ordinance of God*, and in some respect they are the *Ordinance of Man.* But how can they be said to be, both the Ordinance of God, and of Man ?

For the right stating and clearing of this Matter, it may be proper to consider,

- I. Government in General.
- II. The several Kinds and Forms of Government.
- III. The Powers and Duties of Governours under the several Forms.
- IV. The Persons invested with Power and Government, and the Ground and Reason of their Investiture.
- V. The Act and Exercise of Government by those Persons. In speaking to all which, I shall direct my Discourse against some Notions and Opinions that have prevailed among some.

And in considering and treating of all these things, it will be proper to distinguish between Mediate and Immediate Ordination ; and between Ordination,

Approbation, Permission, and Providential Disposal; as there may be occasion to apply them to the several Instances.

I. This is to be laid down, as a most certain Truth, That *Government in General* is of God, by his *Immediate* Ordination and Appointment. Because it is the Dictate of the Law of Nature and right Reason, which is Immediately from God, and so of the Scripture also. For right Reason dictates that there must needs be Government, for the maintaining of Order and Peace among Men, when they are combined and joined together in Society; Because no Society can subsist long without it; but all would be in Confusion, considering the Sins and Passions, and Lusts of Men, and their several Apprehensions and Interests which are apt to incline them several ways, and to foment and excite Discords and Divisions among them; so that there could be no Peace or Security if there were not some Power and Authority to determine their Wills to Union and Concord, and to put them in fear, if they act contrary to the Rules of Justice and Righteousness, in their Dealings one with another.

Man is a Political Creature, and made for Society, and may be very helpful to those of his own kind, above all other Creatures: but yet withal is apt to be very selfish, and full of distorted Passions and Appetites, which are very various in Men; and every one to be for his own Interest, and in pursuing the same would be apt to be very turbulent and violent, if he were not restrained, and kept within bounds, and under Rule. Therefore where there is Society, there must be Government to restrain them from Injuries and Violences to one another, which they are so prone unto; and to make Society useful and advantageous to Men.

And thus *Moses* expressly required of the Jews by God's Appointment, to set up Magistrates among them, *Deut.* 16. 18. And God gave them diverse Political Laws by the hand of *Moses*, to be a Rule of Government to them, and raised them up *Judges* from time to time for the same Purpose.

And it is impossible, but that abundance of Mischief and Confusion must necessary ensue, where there is want of such.

The Use of which is to correct those Anarchical Principles of some, that would have all Men left to themselves, in a meer natural Liberty, without any Restraint or Confinement in this State of Ignorance, Lust and Sin: Government in general then is of God, and is his immediate Ordinance and Appointment.

II. But now to consider the *several Forms* and Kinds of Government; which are well known, and distinguish'd. When either the Government is in the hands of a single Person, or of some chosen Persons to whom it is especially committed; or in the body of the People, who all together determine and manage things. Or else it may be partly in one, and partly in another; so that the Powers of Government may be divided, and some single Person have one or more of those Powers: A Senate have others; and some left in the hands of the People.

And where there is a single Person or Senate, either they may be limited by fixt Laws, which are to be the common Rule, according to which they are to act in all things; and are the Boundary both of their Government and the Subjects Obedience. Or they may be left to their own Arbitrary Wills, within no other Bounds, but of the Law of Nature it self, which only determines some general things, and leaves the Particulars to following prudential Determinations.

And they may be either for a certain term of Time, or for Life: And that either of those, who are in the present

present Possession of Power, or of their Descendants
also.

Now none of these *particular Forms* are of God's *immediate Ordination*; nor have we any Rules given by him to specify or determine the same, either in Reason or Scripture. But all Forms of this Nature are alike indifferent in respect of any Divine Command to determine them one way or other; tho one may be more conveniently and wisely chosen than another may be; and so they are left to the prudent Determination and Choice of Men, as Circumstances shall incline. So that there is no more a *Jus Divinum* in one than another; but every particular Form or Species of Government is *ανθρωπινη κτισις*, an humane Ordinance immediately, and not a divine; an humane Creature, or a Creature of Man's making, moulded or fashioned into such Form or Shape by Man.

The Jewish Government was a *Theocracy* originally, by God's own Institution: And God himself was their King, who gave out his Oracular Directions to them by the High Priest, by the *Urim* and *Thummim*. And the *Sanhedrim* or Seventy Elders, which were to be chosen out of the several Tribes by God's Appointment, *Numb. 11. 16.* were the immediate Administrators under him; together with the Judges, whom God called and raised up upon some extraordinary Occasions. This only was that Form of Civil Government, which had God's immediate Institution; the Paternal Government of Particular Families being for other Ends and Purposes. And thus the Matter stood with that People, till they being taken with the Grandeur and Power of the Neighbour Princes, demanded a King in the time of *Samuel*, like one of them, who should be invested with absolute and uncontrollable Power; *1 Sam. 8.* But this was so far from being God's Original Institution, that it was a Form of their *own Election* only; which God shewed his

his extreme Dislike of; not only because they cast of him from being their King; but also because of the many Hardships and Inconveniencies they must expect to meet with under such a Form of Government, some of which are there represented to them by the Prophet, which God would not have had them exposed unto. Princes, like other Men, being often subject to intemperate Passions; and such a Power when it is committed to them without any Limitation or Restraint, being extremely liable to be often abused by them. But because they were so peremptory in this Matter, and because nothing else would satisfy them, God was pleased to comply with their Desires, and then appointed the Person who should rule over them, who thereupon became God's Ordinance to them. For if Men will needs choose such a particular Form, or any other, as inconvenient as it may be when that particular Form is once constituted or settled by common Agreement, it then becomes God's Ordinance *mediately*, by the Mediation of human Act, as any other would be, and no otherwise. For because Government in General is of God; and Government *in genere* cannot have Existence (for *Universalia non actu existunt in re*) therefore when that particular Form is once settled and agreed upon by human Prudence and Will, tho it hath not God's immediate Appointment, yet then it becomes God's Ordinance too. And so as the Apostle tells us, *All the Powers that are, are ordained of God*, Rom. 13. 1. And so the Roman Emperors at that time (whom he hath there particular Respect unto) were God's Ordinance when they were chosen by their Armies, or elected and confirmed by the Senate, and had the People's Consent thereunto; as any other Form would be that is publicly agreed upon, and no otherwise, there being no *immediate* Direction from God, concerning this Matter: But if there be any Difference

at of absolute and unlimited Monarchy, we see, and the most immediate and particular Discouragement from him; tho upon the Peoples Choice and opportunity he complied therewith.

But when any Form or Constitution whatever is set, it thereby becoming God's Ordinance to Men; doth then engage all particular Persons, that are the subjects of such Government, to acquiesce in, and submit thereunto; till it comes by the same or like power that made it, for some just Reasons to be anywise altered or unmade again: And *not to meddle with those that are given to change*, who have not a Power vested in them alone, to make such Change: Tho by common Consent, any particular Defects may be amended, or Alterations made, as shall be most subservient to the promoting of the common Good; which is the *suprema Lex*, according to which all things in these Cases are to be determin'd. But to make Changes out of a meer Fickleness of Humour, or Weariness of things; or for particular Persons to do it, without the Consent of the States, and from an Apprehension only of some tolerable Defects, which will always be, in this imperfect State of things, more or less in this World, would tend to the same Confusion, as downright *Anarchy* it self. And this would be unreasonable, especially under such a happy Government as ours is; wherein Prince, and Nobles, and People have their several Shares for promoting of the common Good; and whilst it so continueth (which God grant may ever do) neither absolute or Arbitrary Sway, or yet Popular Riout or Fury, will be able to find a Room here.

III. Now for the *Powers and Rights* of Governours, to whom a Government is committed, these are also in general appointed by God, and are his Ordinance, as being only the necessary Parts of all Government, which in the general is from God. As are also the
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Duties of all other Relations among Men; the chief Strokes and main Lines of all which, are drawn immediately by God himself.

And here it is plain and certain in the First place, that God never gave any Man Authority to commit any Wrong, to kill or destroy the Innocent, or to do any unjust thing, or to serve his own Pride, Lust, Grandeur, to the apparent Detriment, or Mischief of the Common-weal, as if God made Thousands or Millions of Men only for his sake. None of this way or ever can be God's Ordinance, in any Government of whatsoever; but is abhorred by him. For *the righteous Lord loveth Righteousness, and his Countenance doth behold the Upright; but the Wicked, and him that loveth Violence, his Soul hateth*, Psal. 11. 5, 7.

But the Power that God hath given to Men, and the Exercise of which is enjoined to them, as their Duty, is to do Judgment and Justice, and to keep Order and Peace among them, to vindicate the Oppressed, and to revenge and execute Wrath upon him that doth Evil, and thereby to be a Terror to evil Works, and to be Ministers of God for Good unto all, in their several Stations and Places, *Rom. 13. 3, 4.* And such were Moses' Directions to the Judges and Magistrates of the Jews, *Deut. 1. 16, 17.*

And now in order to the doing of all this, and for the right Government of any People, it is necessary by the very Nature of the thing, that they must be invested with some particular Powers; without which the supreme Authority and Power cannot be exercised to those Ends. As there must be a Power in them for making Laws, and determining the Rights of Men according to the Differences of Places and Circumstances, as may be most behoveful for the Good of the Common-wealth, and of particular Men also, as far as may be consistent therewith. Tho in this Case it is impossible, but that in some things Mens natural Rights to o

Liberties must in some measure be restrained, and
ought to be so for the common Good; the Loss of
which yet will be made up by the greater Good they
place in, in a well ordered Government.

And farther, in order to right Government, it is
necessary that *Sanctions and Penalties* be annexed to Laws,
to enforce the Observance of them, contrary to the
corrupt and violent Inclinations of unpeaceable and in-
sensible Men, that are apt to disquiet and disturb others.
And that those Penalties be proportioned to the Me-
rit of Crimes, and the Damages that do ensue upon
them, and upon the Violation of such wholesome Laws;
so thereby Persons may be most effectually deterred
from such Violations. And in case of very hainous
Crimes, or such as are of a very mischievous Nature for
disturbing the Peace of the World, and making So-
ciety unlivable, it is necessary, that *Capital Punish-
ments* should be constituted and appointed.

And for the bearing and discharging of the *Charges*
of Government, It is necessary that some way or other
there must be an Allowance made out of the Estates
and Purves, and Revenues that Men have, and Tri-
butes and Taxes some way or other exacted; and they
ought to be willing and content to bear it.

And there must needs be a Course taken, for the
Security of *Mens Properties and Persons*, against Dome-
stic and Foreign Invaders. And to that end *Hands
and Arms* must be provided, as may be most needful to
the publick Exigencies and Dangers. So that Gover-
nments necessarily must have some sort of Power over
Mens Persons, Lives, Liberties and Properties, as
may be most behoveful for the Security of the publick
Good.

Religion only is a thing of that peculiar Nature,
as *non cogi sed consideri debet*. So that there is no Pow-
er upon Earth, that can or ought by enforcing Penal-
Rights to oblige a Man to assent to such Doctrines or O-
pinions,

plaints, as are contrary to the Sentiments of his own Mind; or to perform such Acts of Worship, or in such a way, as he is not satisfy'd with; because it would be to oblige a Man to sin, and to violate Conscience, which in that respect God hath reserved under his own immediate Jurisdiction. But as for those other things mentioned, they are the Dictates of Reason, and are the Ordinance of God in general. These are the *Magna Imperii*, that are absolutely necessary to the Support and Preservation of any Government. And there is this Use to be made of them, That Men should learn to be contented with the Restraint of their Liberty, and to be determin'd in these things by those to whom the supream Power is committed, to undergo some private and personal Loss and Damages for the publick Advantage; which is infinitely to be prefer'd before particular Men's Rights. Tho' most Persons are apt to be so selfish, that they care not how the Publick stands or falls, if they may but get, or be secured in their Personal Estate and Enjoyments.

The Publick here is to be regarded far before private Men; or else to what end do Men enter into Society, if every one must seek only his own thing, or mind his own Interest: So that these Powers must necessarily be allowed to Governours; and God and Nature require that they should be so.

But now for the *Particular Forms* or Modes of the Administration of these things, and particular Offices of the same. These are *humane Ordinances* immediately, and are settled by Man; but by God's Approbation, when they are drawn from the common Line of Justice and Equity, and are agreeable thereunto. And then the Observation of them becomes the Subject's Duty for Conscience sake, by virtue of God's Command, which requires a Subjection to Governours in all lawful things; when Particulars are drawn

out of the Generals, and are only prudent Determinations of the Generality thereof.

Thus the making of Laws, adding of Penalties, exacting of Tribute and Taxes, and employing Men or Persons for the Benefit of the Publick, are Powers given and granted by God in general to Kings and Governours: Yet the particular Forms of these things are immediately of Man, and so left to him by God. As what Laws are in particular to be made, for the setting of the Common-weal, what Penalties, and in what Way or Mode, what Fines or Mulcts, or Taxes, are to be lay'd in particular: These are human Constitutions, but yet must be obey'd for God, and Conscience sake, when they are concluded upon, and settled; and so also whatever other Powers are subordinate hereunto. And that is the Use we are to make thereof.

IV. As for the Persons invested with Power and Sovereignty, and the Ground and Reason of their Investiture. There are but *Two Ways*, by which any Person or Persons can come rightfully to be invested with Power and Sovereignty among Men, viz.

1st. By the express Nomination and Designation of Almighty God. As was the Case of *Saul* and *David*, who were appointed and nominated by God himself, to sway the Scepter of *Israel*; and upon which account is in a more especial manner, that *Saul* was called the Lord's Anointed, and which is therefore a Term; that is improperly ascribed or given to any other, that hath not had such an immediate Designation from God. And thus the Posterity of *David* were by God's express Declaration entituled to the same Power and Sovereignty. And thus those Governours were of God, by his express and immediate Ordination, and so were God's Ordinance. For God may commit to whom he pleases the Right of Government among Men, and make whom

whom he will his Vice-gerents upon Earth, by delegating part of his own Authority to them.

2dly. The other way is by the *original* or *actual* Consent, Compact or Contract with those that are to be governed by him. For whensoever any are thus chosen or agreed upon, or set apart for such Presidency of Government; they thereby come to have a Right and Title to others Obedience, which they may claim by virtue of that Compact or Contract that is made with them. And because all Persons are under an Obligation by God *fidem servare*, to keep their Faith given, and to make good their Contracts, therefore such Persons as are by such Contract and Consent advanced to Authority or Sovereignty over others, are by God's Ordinance likewise, by means of that Consent tho they had not God's expresse immediate Designation or Nomination thereunto. And thus the *Roman Emperors*, as hath been said, were ordained by God, who were the *Powers then in being*, when the Apostle wrote his Epistle to the *Romans*; tho they were chosen by the *Roman Armies or Senate*, or were confirmed thereby, and the People consented thereunto. So that thereby it appears, that it is not necessary to render any Prince or Potentate, God's Ordinance, that he should be expressly and immediately nominated by God: But this *Mediate* Appointment of him thereunto by the Consent of the People, is sufficient. And by such Contract or Consent of the People, any Sovereign hath therefore a rightful Dominion over them. For tho such Prince is an *Ordinance of Men* immediately, (as he is called by *St. Peter*) yet he is God's Ordinance too in *St. Paul's* Determination, by Virtue and Mediation of their Appointment.

And by this way alone all Civil Power and Authority among Men now is conveyed. For no Man hath naturally a Power or Right of Civil Government over another. For the Law or Light of Nature hath not

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determined, what Family, or what Person in it should have the Right of Civil Government among Men, composed of innumerable distinct Families. Nor hath the Scripture determined any such Matter; wherein we have no Appointment made, no prescribed Determination of those, who are to govern in all, or any one of all the Nations of the Earth, nor any Characters described, whereby we may judge of God's Mind or Will therein, who hath left such Constitution to human Prudence or Agreement, tho' under his own Providential over-ruling the Counsels of Men. We have no where here the Right of *Primogeniture* settled as the standing Model and Method of Government, either by Command or constant Example. There is no *Lineal Succession* of the Males of the Eldest House prescribed; who may oftentimes be the worst of Men, and most unfit for the Ends of Government, but we often find the quite contrary in God's Ordination of these things; as if he did on purpose design hereby to thwart such a mischievous Notion; as if Wisdom and Goodness, so necessary for Government, were always entail'd upon the Lineal Succession of the first born Males of a Family. We find, very often indeed, that these have been rejected by God, when he hath shewed his more especial Respect to others, in his and divers other Instances. As he did to *Shem*, the youngest of *Noah's* House, who was after the Flood the Parent of all Mankind. And so to *Abraham* afterwards, the youngest of *Terah's*. And thus *Esau* was excluded, and *Jacob* his younger Brother chosen. And when he afterwards called and appointed Judges to judge his People *Israel*, and to save them from their enemies, we find not one chosen out of *Reuben*, the eldest Tribe.

And when the People would needs have a King, a *Benjamite* of the youngest Tribe was chosen by God in his Father's Life-time, to be their first King.

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And then *David* of the Tribe of *Judah*, and the youngest of his Father's Sons; who also past by his eldest Son *Adonijah*, and left the Kingdom to *Solomon*, by God's Direction by the Prophet *Nathan*. So that here was no one Judge or King that descended from the Elder House, to favour the *Patriarchal Scheme* which there hath been made, in this last Age, so much stir about; no *Lineal Succession* appointed of the first born Males. Nor would one have wish'd for any such thing: For where then had been our glorious Queens, to whom this Nation hath been so much indebted, for their wise and noble Governments? And where had been some of our bravest Princes? But we see there hath been no such thing determined by Almighty God.

And this having not been done, there can be no other way, by which any Family or Person can have a right of Sovereignty or Dominion over others; but either by God's *immediate Interposition* from Heaven, declaring whom he will have to be his Vicegerent upon Earth, which we see is not done; Or by a *certain Compact* or Contract, either *originally*, or then *actually* made among themselves, which when they have made, they are obliged to stand to; by God laying that as an Obligation upon Conscience to keep their Faith given; and so such Powers consented to then, and that way alone, become God's Ordinance. Tho the Divine Providence disposeth the Wills and Inclinations of Men to pitch upon such a Person or Family for Government, yet such Right of Government is founded only in Consent among Men, tho Men are enclined to that Consent by God.

Skill and *Ability* to govern, may dispose and fit Men for Government; but the greatest Wisdom, Power or Skill, cannot give a Man a *Right* to govern others without their Consent.

Nor can any rightful Government be founded in Force, whilest that Force continueth, and it be not brought to end in Consent. For whilest there is the Continuance of Force, it is rather a *State of War*, than of Civil Government, unless Consent doth conclude the Force.

If the Force be founded upon Right, as upon just Conquest, for just and right Reasons, that Force indeed may lay an Obligation upon Persons to consent to such Government. But 'tis Consent it self that giveth a Right to Government, and not the Force which obliged to that Consent.

If the Force be *unrighteous or unjust*, as in an unrighteous and unjust War or Conquest, it gives no Right at all to any thing : For *Nullum jus fundatur in Injuria*. They who are under such Force, may consent if they please ; and they may be oblig'd to it in Prudence to themselves ; but no such unjust Conqueror hath right to demand it. But when they have entred into Compact with him, and given their Consent, then such Prince becomes God's Ordinance too ; and they are obliged to render Obedience according to the Terms agreed. But still it is *Consent* that giveth the rightful Power of Government, and not Force, which only occasioned that Consent.

And it is the same, on the contrary, as to all *Benefactions and Deliverances*, bestowed upon, or wrought for a People by any. Such Benefactions and Deliverances do oblige a People to Gratitude and Respect to these Persons from whom they received the same. And many times they may justly incline them to resign themselves to their Government, who have been the Instruments thereof. But they never give any such Persons Right to demand the Government over such a People ; nor have they a Right to govern merely by virtue of such Deliverances wrought, without a Consent granted on their Part to his Government.

So that it is *Consent* or *Contract* now that is only the Foundation of all rightful Government.

But here it is to be noted, that such Consent once given, and Agreement made, is supposed to continue in this Case from Generation to Generation; and is not confined to those very Persons that first consented and made the Agreement: For the People of a Nation combined in Society, are look'd upon in the Ages past, present, and to come, to be but, as it were, *one Person*. And Acts and Obligations thence arising, of one Age, are not only to be esteemed the personal Acts and Obligations of those then living, but likewise of those that follow after too; and therefore are not to be rescinded, or dissolved, but in the same way, or for the same Cause, as other Obligations are, or use to be in other Cases. As among many other ways, by the *Remission* of that, which was the Matter of the Obligation, by the Party concerned. Which may be done, either expressly, by a Resignation of his Right in express Terms; or *tacitly*, by a silent Neglect or *Abdication* of it. So likewise may an Obligation be dissolved, by the other Party's not performing of, or acting downright contrary to the Conditions, or to the *pacta conventa*, upon which the Obligation was founded. Or when there is a Change of that State or Relation, which was the Ground of the Obligation; for the *Fundamentum* of the Obligation ceasing, which was the Relation it self, so doth therefore the Obligation cease of course, which was founded upon that Relation. I need not apply this Discourse to particular Instances, which I doubt not you do of your selves, in Cases that have very nearly concerned us. But unless it be in some such Cases, which are a just Ground for the dissolving thereof, the Obligation is firm, and must continue still. And therefore the Obligation of the Children of *Israel* to the *Gibeonites* continu'd to their Posterity for hundreds

of Years after; the *Gibeonites* having given no just Cause for the dissolving thereof.

And thus the Obligation of *Laws and Statutes* continues, that were made in the time of our Fore-Fathers, till for some new or emergent Causes they are repealed by the like Power that first made them, or by the Consent of all the States are generally neglected, for the Uselessness of them. And there is nothing more common, than for Parents, by their own Acts, to oblige their Children as well as themselves; till some new or unforeseen Cause or Causes happen, that may lay a just Foundation for the dissolving of such Obligation; which it is to be presumed, if the Parents themselves could have had a View or Foresight of, they themselves would have remitted to their Posterity such Obligation.

And tho' there should have been an Oath given and taken for the Confirmation thereof, yet that doth not alter the Case; for the Oath being only *vinculum accessorium* to such an Obligation, by an Appeal to God for making good thereof, and not containing in it a distinct Obligation; then upon Supposition of the Dissolution of the Obligation, upon any of the aforesaid Accounts, as the Obligation it self ceaseth in such Cases, so doth the Oath it self (which was only an Accessory Obligation for the confirming of the other) cease of course, and is dissolved with it also. Which if some, I believe, of very honest Minds, had well consider'd, they would not have embarrass'd themselves with such Difficulties, with respect to some Oaths, as they have done; when they have been clear upon other Accounts, about the ceasing of some Obligations, had not such Oaths, which were necessary to those Obligations, given them so much Trouble about it.

V. I now come, in the last place, to consider the *Act and Exercise* of Government in those Persons that are invested with it. And here we must distinguish

between a just and righteous Administration thereof, and that which is not so ; and accordingly the Determination must be made in this Case. And here,

1st. I shall speak of that Exercise and Administration of Government, which is *wrongful and injurious, and Tyrannical*. This unjust and unrighteous Administration is of God too by his *Permission, or Providential Dispose*, as all the worst things are that befall the World : For *his Kingdom ruleth over all ; and is there Evil in a City, and the Lord hath not done it ?* But it cannot rightly be called *God's Ordinance* : For God appoints or ordains none to do Wrong, or to commit Injustice. For Rulers are appointed of God, *not to be a Terror to good Works, but to the evil*, Rom. 13. 3. And *he is the Minister of God to thee for Good*, ver. 4. And thus I take it, that the Ordinance of God, in the second Verse, is explained by his being a *Minister of God to thee for Good*, ver. 4. And from thence also the Apostle exhorts, and makes this Conclusion, ver. 5. *Wherefore ye must needs be subject, not only for Wrath, but for Conscience sake*. And so doth the other Apostle, 1 Pet. 2. 13. *Submit your selves to every Ordinance of Man for the Lord's sake, whether it be to the King, as supreme ; or unto Governours, as those that are sent by him, for the Punishment of evil Doers, and for the Praise of them that do well*. Wicked and unrighteous Governours may be the Ministers of God's Providence and Vengeance to Men ; but they cannot be the Ordinance of God, but as they are *Ministers of Good*. They are appointed of God only to that End, to minister good Judgment, and Justice, and not to do Wrong to any. For God himself is most just, righteous and holy ; *And all his Ways are Judgment ; a God of Truth, and without Iniquity, just and right is he*, Deut. 32. 4. *He is the Lord that doth exercise Loving-kindness, Judgment and Righteousness in the Earth ; for in these things I delight, saith the Lord*, Jer. 9. 24. And as he himself is, so he requi-

reth

reth his Vice-gerents and Ministers to be ; and they must use their Power which he hath given them, in Conformity to what he hath enjoined, and to what he loveth himself.

But God doth oftentimes permit, and wisely dispose of things so, as that those that are invested with Government, are left to be *Dei Flagella*, or Whips and Scourges to the World, for the Sins of Men. He leaves Governours often to their own Pride, and Follies, and Passions, or to the Delusion of malicious and flattering Parasites, whereby they come to turn Justice and Judgment into Gall and Worm-wood, and judge unrighteous Decrees. Thus he made use of the Assyrian, as the Rod of his Anger, whom he sent against an hypocritical Nation, and gave him a Charge against the People of his Wrath, to take the Spoil, and to take the Prey, and to tread them down like the Mire of the Streets, Isa. 10. 5. Such a Rod in his Hand now is a potent Prince beyond the Seas, to afflict the Nations for their Sins.

And in such a State of things, it behoves all that are concerned, whether Subjects of such Government, or others, to reflect upon their own Sins, which are the moving Causes of God's Anger, by which he is provoked to deliver them into the Hands of fierce and unrighteous Men, to rule over them with Rigor, or to inflict Evils upon them. And when they look to God's Dispensation therein, they have reason to say with the Church in *Micah*, ch. 7. 9. *I will bear the Indignation of the Lord, because I have sinned against him.* And it is a loud Call unto Men to repent, to amend their ways, and turn unto the Lord, who hath for their Sins delivered them over into the Hands of such cruel Lords or Taskmasters, that lay heavy Burdens upon them, not to be born. And when a People in such a Case cry unto the Lord in their Distress, and turn unto him, he will turn his Hand upon their Ad-

versaries, and avenge them of their Enemies. If we would all hearken unto him, and walk in his ways, and if there were in us an Heart to love him, it should be well with us, and with our Children. And our Peace should be as a River, and our Righteousness, in the Fruits of it, as the Waves of the Sea, Isa. 48. 18. And the Effect of it would be Quietness and Assurance for ever, Isa. 32. 17. But without this all the Efforts of Men to help themselves are like to be in vain: Or tho the Judgment be diverted for the present, it is like to return again, in the same or another way, till God hath obtained his End upon Men, in their Reformation from, or Destruction for their Sins.

Yet it doth not follow from hence, but that all just Methods may be used by Persons in Distress, under such unjust Oppressors, to save or deliver themselves; as a Man may use a Medicine against a Disease, tho it be by God's Hand upon him. For as Diseases are in the Body Natural the Strokes of God's Hand, yet we are not bound to bear them so, as not to seek a Remedy. So are those Diseases in the Body politick, by God's all-wise and supreme Dispose; for the Removal of which all just and proper Remedies may be used in like manner; and when ordinary and common Remedies will not prevail, if the Disease be desperate, there must be Recourse had to extraordinary, that the Means may, if possible, answer the End. That Maxim of Tacitus is almost an Oracle, *Res nolunt male administrari*: For tho it may be so for a while, it is not like to continue long, unless it be so over-rul'd for a Punishment to a People, that hate to be reformed, most certainly it is not God's Ordinance.

For all Government is ordained by God for Good to them that are under it, for the promoting of their Welfare and Happiness, in Imitation of God's own Government, which is always for that End: And instead of promoting that, it doth the quite contrary

we y, by transgressing the Bounds of that Power which
 and hath from God ; and which alone by the People
 well an reasonably be supposed to be consented to, when
 ld be here is no right for it so to do, there can be no Ob-
 of it, gation on the People's Part, to submit to it of Right
 ect of or *Obligation* on their Part must be founded on
 . 17. Right on the others ; and where there is no Right,
 nient here can be no Obligation to answer it ; and much
 nt be less in a Government limited by Laws. For to urge
 n, in an *unlimited* Subjection to a *limited* Power, is to urge
 d his ontrary to the Nature of Things : And therefore
 De- where there is a *Reservation of Rights* and Liberties to
 People, in the very Constitution of a Govern-
 all just ment, it is a natural Consequence, that there must be
 such a *Reservation of Power* and Right, to defend and pre-
 as a serve those Rights, either expressed or implied, against
 it be all the Invaders thereof ; or else they are merely pre-
 n the arious, and as if there were none at all, notwithstand-
 et we ing such Reservation. And if Religion it self be
 a Re- settled by such Government, that also becomes a Peo-
 k, by les Property, as well as their Estates, by the same
 mova Constitution ; and they are bound in the same man-
 sed in ner to defend the same, or rather more, supposing it
 Remer to be true and right, because it is of the greatest Con-
 erate quence to them for their eternal Welfare ; whereas
 at the all other things relate only to their present and tem-
 at Ma- poral Welfare in this Life.

ale ad 'Tis true, that this Doctrine may be liable to great
 is no use, from the selfish Humours and Passions of Men,
 d for many others are ; as we see it is with the very
 rmed, grace of the Gospel it self. But Truth is never the
 is Truth, because it is abused by some ; and there-
 Good re we must judge of it in it self, and not by the unrea-
 f their nable Abuse that is sometimes made of it.

's own Upon these Principles it is, that our *happy Revolution*
 And th has been founded ; and a wise and good Prince called
 contra for our Rescue, which we now enjoy the Benefit of,
 ry and

and by which our Gracious *Queen* now sits upon the Throne, and which we hope our Posterity will ever be the better for. Whereas upon any other this could not have been, humanly speaking of things; but we had just Cause dreadfully to fear, that long enough before this time, we must have been made a Province of *France*, and should have been dispoiled of our Rights and Properties, and Religion together, and our Liberty turned into *French* Slavery. For it is not reasonable to imagine, that a Popish Power, that has once got the Mastery over us, and that had been so much used to Tyranny and Oppression, would ever have endured, whatever some pretend, the Protestant Religion, which they call Heresy, or any of those Liberties which in this Nation had accompanied the same. This I say is not reasonable to imagine, no more than it is to suppose, that a Beast of Prey would be a kind Guard or Preserver of the innocent Sheep, or that a Wolf would leave off to worry and tare the Flock, before he had first been satiated with their Blood.

Secondly. But now, for that just and righteous Administration of Government, where-ever it obtains, this is of God most certainly, but in another way and manner than the former. This is not only by God's Permission, or providential Dispensation; but it is by his positive Ordinance, and downright Appointment and Command, and it is by his special and peculiar Assistance and Blessing, that Princes and Governors are endued with Skill and Inclination to govern in such a manner; and it is a great Blessing to a People when they are so. And this is that other Sense that may be given of the Words of the Text, *By me Kings reign, and Princes decree Justice*; i. e. It is by his Blessing and Assistance, that they reign wisely and justly, which without his Direction and Help they could not do. For,

To govern rightly is a very hard thing, and requires great Skill, and Art, and Temper. And there are a great many Obstructions to it. The *Passions* and *Interests* that do naturally bear sway in Mens own Breasts; whereby they are mightily enclin'd to abuse the Power they have; The *Weakness* of Mens *Judgments*, by which they are hindered from judging right of things, and are apt to be seduced by *evil Counsellors*; the excessive *Ambition* of some after Domination and Rule; the *greediness* and *Extortion* in others, to get Gain; the *Turbulency* and *ill Nature* that is in some malicious spirits; and the exceeding *Liableness* of some Men to *self-seeking Flatterers*: These and such like things are great Obstructions many times to a just and right Government, so that it is no easy matter to manage the same.

And it is the Blessing of God alone that enables Governours to surmount and conquer these Difficulties, that gives them Skill to govern, and prepares their Hearts, and disposeth and enclineth their Spirits thereunto, *Prov. 2. 6. It is the Lord that giveth Wisdom; out of his Mouth cometh Knowledge and Understanding: He giveth sound Wisdom to the Righteous, and he is their Buckler to them that walk uprightly.* It is so in all Cases of a more private Nature, and much more in

And thus I have gone through the Five Heads before proposed.

And now therefore how should our *Prayers* be instantly offered up to him, by whom Princes rule, that he would always give unto the World such good and righteous Governours, as that under them we may live quiet and peaceable Lives in all Godliness and Holiness. All Men have need of this; but especially Governours, Kings, and great Men, whose Work is great and arduous, and their Temptations many.

It

It is difficult to govern many times in lower States, but much more States and Kingdoms, where there are Persons of so many different Interests, that they thwart and contradict one another, so that they drive in divers ways; and wherein there are commonly so many Men of corrupt Minds: As in all great Bodies of People there will be petulant, proud, discontented, turbulent, factious, delighting to rake in the Coals, and to foment Divisions: What could poor Princes do to govern such Men, without especial Help and Direction from God? And therefore we should pour out our Prayers earnestly for them; That God would guide them in their Counsels, give them a Spirit of Wisdom and Government, and lead them in the ways of Justice and Goodness.

And when we have such Governours, we ought to give God the *Praise* thereof, and be exceeding thankful: Good Governours are a wonderful Blessing from Almighty God to the World. Every good Man is a Blessing to the Place where he is, tho in the most private Station. But good Governours, whose Influence is extended far and wide, are as Gods among Men, and ought to be greatly revered; and God is to have the Praise thereof.

Such a Governour we had by the great Blessing from Almighty God, in our late *King William* of blessed Memory; whom God was pleased to raise up, and to bless to be a Deliverer, and Saviour to this Nation: to be the Defender of our Faith, the Patron of our Liberties, and the Preserver of our Rights, against the Insults and Invasions of violent Men, and contrary Spirits; and his Name will always be had in Honour among those, that have a true Respect either to our Religion, or Liberties.

And when it pleased God to deprive us of, and to remove from us that excellent Prince, It was his good

ing to us, to settle upon the Throne her present Majesty, invested with a just Title to Government of us, by a *parliamentary Settlement*, by the Consent of all the States of this Realm; and who hath shewed herself ever since her Accession to the Throne, to be a Lover of our Nation, and an Enemy to our Enemies, a zealous Maintainer of the Protestant Religion, and Church establish'd among us; who hath shewed great Moderation in her Government, and hath directed over us with Wisdom and Righteousness, and hath given in her own Person an eminent Example to our Nation, of Piety and Vertue.

That God would prosper her in her Government, and that she may long continue a Blessing to us, should be our daily and importunate Prayer for her, for our selves, who are her Subjects. We have no Invasion of our Rights and Liberties, no assuming a Power to destroy our Laws, and to subvert our Constitution, no prosecuting of any for meer humble and submissive Petitions, for redress of Grievances, no arming of our Enemies, or the Enemies of our Religion, no putting of unqualified Persons by meer Right into Places and Offices, no extorting of Money from the Subjects contrary to Right, no violating Freedom of Election of Parliaments, no excessive Burdens or Fines, no illegal and cruel Punishments in Courts of Judicature; which we cannot be without Remembrance of in a former Reign. But all our Rights are preserved, Property maintained, the establish'd Religion defended and encouraged, and the Law hath its free Course; which are inestimable Blessings, and which we now so happily continue to enjoy, by means of our Revolution, under the blessed Government of our gracious Queen; whom God preserve, to be an Instrument of more lasting Good to us still, till all her and our Enemies, as proud

as

as they are, be made to submit themselves, to hereternal Honour, and to the Honour of those brave Men, that are imployed under her for the Accomplishment of these great Ends.

I have now only one thing more to add, *viz.* that as Governours, of what Degree soever, have the Power one way or other from God, and are his Ordinance; so they ought certainly to think themselves obliged to act for God, and to his Honour especially by curbing of Sin, suppressing Wickedness and Vice, and setting forward a publick Reformation from those visible Immoralities, that come to their Knowledge, according to that Degree of Power, that the Laws is invested in them; and so also to assist and encourage those that are engaged in this blessed Work within their proper Bounds.

We are bound to serve the Lord our God, *With our Soul, with all our Mind, and with all our Might and Strength.* And how do Men do this, if when they have Might and Power, they do not lay it out for his Honour, and in his Cause, and in the Cause of Religion, as they ought to do? All Men have some Power to do this, but Magistrates have Power and Talents peculiar to themselves in several Degrees, in their several Places and Stations, about what they have in common with other Men; and therefore they have Power to do more than others. And what Account will they give of this their Talent of Power, that they are above others intrusted with it, if they unprofitably hide their Talent in a Napkin, and do not lay it out for God, in the use of all the Power they have? And when they have Power to correct Vice, and to put a Stop to Ungodliness and Sins of several kinds, which bring such Dishonour to the Name of Almighty God, and provoke him to pour down his Judgments upon a People or Nation,

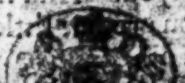
and do not do this, how can they be said to love
 od or their Country either, as they ought? By swear-
 g, and lying, and committing Adultery, the Prophet
 ith, the Land shall mourn. And, *Wo unto them that*
continue until Night, till Wine enflame them. For, Wines-
om and Wine, and new Wine, take away the Heart; and
 erefore God will punish them for their Ways. And
 et how are these things commonly done, and known
 be done, and many that have Power to suppress
 em, take no notice of them, but do themselves also
 any of them commit these Abominations? Nay,
 d not only do the same, but have Pleasure in them that do
 em. These things, my Brethren, ought not to

But all you, that are the Ministers of God upon
 earth, are sent by him, to be *Revengers, to execute*
Wrath upon them that do evil. And if you neglect your
 duty, or falsify your Trust, you will provoke him to
 do the same upon you. And he can do it: For you
 e to consider, you are but little things to God, even
 e greatest of you all.

But as all should love God and seek his Honour; so
 e are to love our Neighbour also, and to do right
 to all Men; that *Judgment may run down as Waters,*
and Righteousness as a mighty Stream. For in these things
 o the Lord doth delight. And this depends very
 uch upon you, that are to be *Jurors* and *Witnesses* in
 auses between Man and Man. For let Judges be
 ver so upright in judging, yet if *Juries* bring in
 rong Verdicts for Favour or Affection to the one
 rry, or through Hatred or Malice against the other,
 d respect the Persons more than the Cause; or if
 itnesses give wrong Evidence, to seduce them in their
 edicts, it is almost impossible then but that Judgment
 ust be turned into Gall and Wormwood indeed, and
 en must be deprived of their Rights, which the Law
 of

of God and Man. I refused to maintain the Fault of the honorable Judges; but all your Oaths, and you will bring down a Curse upon your selves for your Perjuries and evil Dealing. God of his Mercy prevent.

The following is a list of the names of the persons who have been appointed to the various positions of the Board of Directors of the City of New York, for the year 1900:



F I N I S

[illegible]